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MEMORANDUM ENDORSEMENT

Jolly et al v. GlaxoSmithKline Consumer Healthcare Holdings (US) LLC et al
7:22-cv-05555-NSR

The Court has reviewed the parties' submissions at ECF Nos. 21, 22, 23, 25, 26, 27, and 29.

Upon review of the parties' submissions, the Court directs the parties to submit briefs regarding whether this action should be transferred to the Northern District of California in light of the pending action there, captioned *Moore v. GlaxoSmithKline Consumer Healthcare Holdings (US) LLC and Pfizer, Inc.* (No. 4:20-cv-090770-JSW), which shares a common nucleus of facts and law, the same defendants, and the same attorneys. It also appears Defendants have consented to that court's jurisdiction (*see* ECF No. 27 at 6).

The parties are directed to submit briefs in accordance with the following schedule:

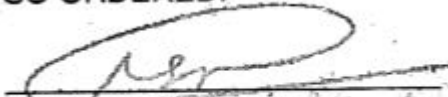
- (1) Defendants' moving papers are to be served (not filed) on September 18, 2023;
- (2) Plaintiff's opposition papers are to be served (not filed) on October 18, 2023; and
- (3) Defendants' reply papers are to be served on November 2, 2023.

All motion papers are to be filed on the reply date, November 2, 2023. The parties are directed to provide Chambers with two physical courtesy copies of their motion papers on the same date they are served on opposing counsel. The parties are further directed to provide the Court with an electronic courtesy copy of the motion papers as they are served per this Court's local emergency civil rules.

In light of the above briefing schedule, the Court denies Defendants' Motion to Dismiss or Stay without prejudice to renew at a later time pending the resolution of the question of proper venue. The Clerk of the Court is respectfully directed to terminate the motion at ECF No. 21.

Dated: August 18, 2023
White Plains, NY

SO ORDERED:



HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE